



Board for Judicial Administration (BJA) Meeting
Friday, November 15, 2013 (9:00 a.m. – Noon)
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Kevin Ringus, Member Chair
Judge Veronica Alicea-Galvan
Judge Vickie Churchill (by phone)
Ms. Callie Dietz
Judge Janet Garrow
Judge Judy Rae Jasprica
Judge Jill Johanson
Judge Kevin Korsmo (by phone)
Judge Linda Krese
Judge Michael Lambo
Ms. Paula Littlewood
Justice Susan Owens
Mr. Patrick Palace
Judge Jeffrey Ramsdell
Judge Ann Schindler
Judge Charles Snyder
Judge Scott Sparks
Judge David Svaren

Guests Present:

Mr. Jim Bamberger
Judge Amber Finlay (by phone)
Mr. Michael Killian (by phone)
Judge Toni Sheldon (by phone)
Ms. Aimee Vance

AOC Staff Present:

Ms. Beth Flynn
Mr. Steve Henley
Ms. Shannon Hinchcliffe
Mr. Dirk Marler
Ms. Mellani McAleenan
Mr. Ramsey Radwan

Judge Ringus called the meeting to order.

October 18, 2013 Meeting Minutes

It was moved by Judge Lambo and seconded by Judge Sparks to approve the October 18, 2013 BJA meeting minutes. The motion carried.

BJA Committee Unification Workgroup Recommendations

Judge Sparks reviewed the BJA Committee Unification Workgroup recommendations.

It was moved by Justice Owens and seconded by Judge Jasprica to adopt Committee Unification Workgroup Recommendation #3. (Request that AOC develops a proposal to support tracking ongoing committee work within the judicial branch that supports collaboration and interaction through web-based tools.). The motion carried.

It was moved by Judge Svaren and seconded by Judge Snyder to adopt Committee Unification Workgroup Recommendation #2. (Send a letter containing the Committee Unification Workgroup's recommendations to the courts and

associations listed in the recommendation that have the authority to create, maintain and terminate committees. The letter would include Recommendation #1, if approved by the BJA, to standardize committee management as well as the relevant recommendations for each recipient from Attachment 2. The Supreme Court, Court of Appeals, and the associations would be asked to communicate with the boards, commissions, and committees under their jurisdiction to consider the workgroup's recommendations and to voluntarily commit to implementing the proposed chartering and committee standard in their own committee structure.) The motion carried.

It was moved by Justice Owens and seconded by Judge Garrow to adopt Committee Unification Workgroup Recommendation #1. (Every BJA authorized entity would review and assess its current committee structure and align its committees with the proposed standard for creating, managing, and reviewing committees. All committees would adopt a charter and include information listed in the recommendation. Create and adopt a standard for committees that would include an agreement on the items listed in the recommendation.) The motion was amended to include in the charge or purpose the relationship to the BJA mission and to the Principal Policy Objectives of the Washington State Judicial Branch. The motion carried with Judge Johanson opposed.

Judge Garrow made a friendly amendment to include the language on Attachment 2 regarding the four standing committees of the BJA. It was decided to have a separate motion regarding the BJA standing committees.

It was noted that changing the BJA standing committees would require a Bylaw change.

It was moved by Judge Garrow and seconded by Judge Svaren to request a BJA Rule 3(b)(1) change to list the following four standing committees: Legislative, Policy and Planning, Budget and Funding, and Education. AOC staff will draft the rule change and bring it back to the BJA for approval. The motion carried with Judge Krese, Judge Snyder and Judge Churchill opposed.

BJA Public Trust and Confidence Committee Appointments

It was moved by Judge Garrow and seconded by Judge Schindler to appoint Dr. Marion J. Smith, Jr. and reappoint Mr. Andrew Sachs to the BJA Public Trust and Confidence Committee. The motion carried.

Ms. Hinchcliffe stated that committee appointments are continuing to come in while the BJA looks at their committees. By consensus, the BJA decided to continue with committee appointments at this point in time.

2014 BJA Meeting Schedule

Two options were presented for the 2014 BJA meetings. One option was monthly meetings and the other was meeting every other month. Committees could meet in intervening months.

It was moved by Judge Jasprica and seconded by Judge Lambo that the BJA adopt the proposed 2014 monthly meeting schedule. There was a friendly amendment to change the April 18 meeting to April 11. The motion carried with Judge Korsmo opposed.

It was noted that the meeting schedule can be revised as needed after the standing committee structure is fully developed.

2014 BJA Legislative Agenda

Mason County Superior Court New Judge Legislation: Ms. McAleenan reported that there is going to be a request for a new judge in Mason County Superior Court. The draft bill is included in the meeting materials along with the Judicial Needs Estimate and some statistical information provided by Mason County Superior Court.

Mason County Superior Court Judges Sheldon and Finlay have been in contact with their county commissioners and they seem positive to the idea of adding a new superior court judge. Mason County last added a superior court judge in 1992 and they currently have two judges. Since that time the population of Mason County has increased 50% and their case filings have also increased 50%. They currently have a full-time court commissioner. The Judicial Needs Estimate is 2.86 judicial officers but case type is not taken into consideration. Due to their local culture, Mason County Superior Court has significantly more criminal trials than other counties of similar size.

They would like to add a third judge so, if needed, that judge could start a criminal trial. They would also like the judge to help with time to trial for civil cases. They are concerned about the lack of ability to get civil cases resolved in a timely manner. Judge Finlay stated that they have known for some time that getting civil cases out has been very difficult and they have tried to improve how they calendar in order to resolve civil cases more quickly. They also added case statuses in order to push domestic cases out for trial. It is their lack of flexibility that does not allow them to get these cases out.

It was moved by Judge Sparks and seconded by Judge Snyder to support the request for a new judge in Mason County Superior Court. The motion carried.

Court Interpreter Legislation: Ms. McAleenan felt clear from the BJA meeting last month that she should convey to legislators that the BJA is supportive of the court interpreter policy but does not want the legislation if there is no funding to go with the mandate. If the Board agrees, she will share that message with legislators.

The Interpreter bill currently sits in House Rules. As the bill stands now, it does not include a date certain for funding. It just states the state will pay up to 50%.

It was moved by Judge Snyder and seconded by Judge Lambo that the BJA oppose the interpreter bill as currently written. The motion was amended to state that the BJA is supportive of the policy but cannot support the bill as written because of the lack of funding. The motion carried.

Juvenile Records Legislation: Ms. McAleenan stated that there is a lot of activity coming up on the juvenile records bill. AOC has been contacted by the Office of Financial Management (OFM) to discuss a Department of Social and Health Services (DSHS) request bill. Ms. McAleenan is meeting with Representative Ruth Kagi and a proponent next week. She is also meeting with Senator Steve O'Ban next week. The Bench-Bar-Press Committee meeting later today is devoted to juvenile records issues.

Communications During the Legislative Session

After the BJA meeting last month a group of stakeholders met to discuss how to communicate better during the legislative session. Everyone is going to make a concerted effort to make sure they are communicating so the right hand knows what the left hand is doing. They will also coordinate when judges are in town to testify at hearings. It is a learning process and they might find that some of these things work great and find that other things need to be changed. Ms. McAleenan just wanted the BJA to be aware that there is a concerted effort to make sure everyone is communicating regarding legislative issues.

Budget Report

Mr. Radwan reported that the Supreme Court reviewed the judicial branch supplemental budget requests and a list of the decisions they made on each request was distributed in the meeting materials. Seventy percent the overall request is for the Judicial Information System. About half of the remaining request is solely due to the judges' salary increase from the Salary Commission.

It will be important to move forward with a very succinct initiative for the 2015-2017 biennium and act as a branch to move forward. The 2015-17 budget development will begin in January.

It was moved by Judge Garrow and seconded by Judge Lambo to adjourn the meeting.

Recap of Motions from November 15, 2013 meeting

Motion Summary	Status
Approve the October, 2013 BJA meeting minutes.	Passed
Adopt Committee Unification Workgroup Recommendation #3.	Passed
Adopt Committee Unification Workgroup Recommendation #2.	Passed
Adopt Committee Unification Workgroup Recommendation #1. The motion was amended to include in the charge or purpose the relationship to the BJA mission and to the Principal Policy Objectives of the Washington State Judicial Branch.	Passed with Judge Johanson opposed
Request a BJA Rule 3(b)(1) change to list the following four standing committees: Legislative, Policy and Planning, Budget and Funding, and Education. AOC staff will draft the rule change and bring it back to the BJA for approval.	Passed with Judge Krese, Judge Snyder and Judge Churchill opposed

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Motion Summary	Status
Appoint Dr. Marion J. Smith, Jr. and reappoint Mr. Andrew Sachs to the BJA Public Trust and Confidence Committee.	Passed
Adopt the proposed 2014 monthly meeting schedule. There was a friendly amendment to change the April 18 meeting to April 11.	Passed with Judge Korsmo opposed
Support the request for a new judge in Mason County Superior Court.	Passed
Oppose the interpreter bill as currently written. The motion was amended to state that the BJA is supportive of the policy but cannot support the bill as written because of the lack of funding.	Passed
Adjourn the meeting.	Passed

Action Items from the November 15, 2013 meeting

Action Item	Status
<u>October 18, 2013 BJA Meeting Minutes</u>	
<ul style="list-style-type: none"> Post the minutes online Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	<p>Done</p> <p>Done</p>
<u>BJA Committee Unification Workgroup Recommendations</u>	
<ul style="list-style-type: none"> Notify Jennifer Creighton of the adopted recommendations Determine how the recommendations will be carried out <ul style="list-style-type: none"> #1 – Next steps for standing committees #2 - Letter to judicial branch organizations with committees #3 - Implementing database to track BJA committee work Steve Henley will draft rule change outlining the BJA standing committees Add to future BJA meeting agenda 	<p>Done</p> <p>In progress</p> <p>In progress</p> <p>In progress</p> <p>In progress</p>
<u>BJA Committee Appointments</u>	
<ul style="list-style-type: none"> Continue with committee appointments while the BJA reviews their committees 	
<u>BJA Public Trust and Confidence Committee Appointment</u>	
<ul style="list-style-type: none"> Send appointment/reappointment letters to Dr. Smith and Mr. Sachs Notify Margaret Fisher of appointment/reappointment 	<p>In progress</p> <p>Done</p>
<u>2014 BJA Meeting Schedule</u>	
<ul style="list-style-type: none"> Change the April meeting to April 11 Post the revised 2014 meeting schedule online E-mail the revised schedule to the BJA members 	<p>Done</p> <p>Done</p> <p>Done</p>

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Action Item	Status
<u>BJA Legislative Agenda</u> <ul style="list-style-type: none">• Ms. McAleenan will move forward with the Mason County Superior Court new judge bill and discuss the position of the BJA on the interpreter bill with legislators• Distribute Legislative Communications and Coordination memo to staff and lobbyists• Distribute 2014 Legislative Agenda to staff and those on the distribution list outlined in the memo	 In progress In progress